



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

NEWFOUND AREA TEACHERS ASSOCIATION/
NEA-NEW HAMPSHIRE

Petitioner

v.

NEWFOUND AREA SCHOOL BOARD

Respondent

CASE NO. T-0270:13

DECISION NO. 91-52

MOTION FOR REHEARING

PELRB on June 18, 1991 issued a unanimous decision (No. 91-38) in which it dismissed the unfair labor practice filed by the Newfound Area Teachers Association regarding the unilateral implementation of a new "no smoking" policy.

Representative for the Association filed for reconsideration on the basis that state law RSA 155 prohibits smoking in enclosed areas of public ownership only and not outside school buildings. They allege that the policy implemented by the School Board, exceeded the law and resulted in a change in terms and conditions of employment in violation of RSA 273-A.

The unfair labor practice was unanimously dismissed at the hearing held on December 18, 1990 and again by decision on June 18, 1991 therefore, PELRB exercises its rights and DENIES the Associations' Motion for Rehearing.

Signed this 5th day of August, 1991.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Seymour Osman and E. Vincent Hall present and voting.